

## **Twin Lakes Stakeholder Group (TLSG)**

*Wednesday, April 13, 2016*

*Meeting Summary - Final*

### **Attendance:**

*Stakeholders:* Frank Alexander, Norrie Boyd, Susan Lambert, Glen Segrue, Marty Streim, Lisa Sundell, Ian Swallow

*City and County Staff:* Dale Case, Deb Gardner, Michelle Krezek, Susan Richstone, Mary Young, Bob Yates

*Facilitation:* Heather Bergman and Katie Waller

### **Next Steps**

<i>All</i>	<ul style="list-style-type: none"><li>• Send all technical questions to Heather so she can send them to staff.</li><li>• Prepare a 10-minute summary of each stakeholder group's interests.</li></ul>
<i>Heather</i>	Send out poll regarding future meeting dates.
<i>City Staff</i>	Reserve a room for the next meeting.

### **City Council Motion**

Mary Young, Boulder City Council member, summarized her perspective and intent behind the Council motion that initiated this facilitated process. She had participated in a facilitated dialogue related to a similar situation and found it to be successful at bringing parties together and building relationships. She hoped to create an opportunity for a similar success story on Twin Lakes. She reported the following vision for the motion, noting that it was her description of her intent for the motion.

- The idea of the motion was to get participants to a place that might not be perfect but everyone can live with.
- Studies such as those referenced in the motion were not intended to inform the land use designation in the Boulder Valley Comp Plan (BVCP) as this level of detail is not conducted for a land use change request. Rather, they were intended to inform a potential site plan. There is a long lead time on these studies (up to 2 years), so getting them started now is beneficial. Council encouraged Boulder County to begin the studies. However, this Stakeholder Group can provide suggestions for questions to be included in those studies, or could ask for additional. Any additional studies identified through this process would be the responsibility of the site developer, as is typical, not the City of Boulder staff.
- The starting number of units envisioned while drafting the motion was 6 to 12 because anything higher was an important concern for TLAG. The motion as drafted did not envision zero as a number of units nor did it envision open space as an option on the whole property. Council moved forward both of the proposed land use designation changes (one for increased density and one for open space) and the motion recognized that there might be a community benefit in having some part of the properties as open space for a wildlife buffer or corridor.
- Drafting of the motion considered the option of creating a new land use designation that would hold any future owner or developer of the land to a maximum number of units.
- The motion refers to the BVCP timeline and is intended to indicate the need for completion of the facilitated dialogue in time for the Stakeholder Group's recommendations to inform staff recommendations about the land use designation for the Twin Lakes properties. Staff

aims to submit those recommendations by mid-summer, with the four review bodies making their decisions in the fall.

- This was the thinking that went into drafting Council motion. Others may interpret the motion differently.

Bob Yates, Boulder City Council member, added his perspective to Mary's summary of the Council motion.

- We put this motion together over a weekend. This motion was intended as Council's signal to the parties telling them what information we wanted to see. Council is not averse to receiving additional information beyond what is in the motion. The more information the better.
- This is a bit of an experiment. We are trying to make parties get on the same page. We want this to serve as a model for future developments. We do not want to do things over objections from people in the community. We want things that people can live with; we do not want binary decisions. We want people to find common ground.
- Thanks for coming to this in good faith. I am optimistic we can come up with something everyone can live with.

Deb Gardner, Boulder County Commissioner shared the perspective of the Commissioners.

- We are committed to the process, and we want to end in a place where we are working together to solve the issue of affordable housing.
- This is a great conversation for us to have, though it is a tough conversation. If we all come in good faith, we are going to be able to be successful and create a model for other developments.
- #36 is still on the table.
- Commissioners and BCHA are committed to the process and want to end up at a place we are all working together to solve Housing Crisis in County.

### **City and County Planning Process**

Susan Richstone of the City of Boulder Planning, Housing, and Sustainability Department provided an explanation of the City and County development process. Below are highlights of this presentation.

- The City development review process takes quite a while before there is actually any building on a piece of property.
- The various applications in the City Development Review Process (annexation/ initial zoning, concept plan, site review) can happen concurrently or at different times. Items #1 and #2 in the City Council motion fall under the BVCP. Item #3 in the motion falls under the City development review process.
- Both the Boulder Valley Comprehensive Plan and the City Development Review Process offer multiple opportunities for the public to provide feedback and input.
- Input received through this process will be used to inform other steps throughout the development phases.
- The 5-year Boulder Valley Comprehensive Plan update process is currently underway and is a joint effort between the City and the County to guide development for the Boulder Valley.
- Regarding future land use, land located in Area II is eligible for City annexation, and land located in Area III (Rural Preservation Area) is intended to stay an undeveloped rural preservation area.
- Twin Lakes has long been considered Area II, meaning it has an option for annexation and urban development.

- The concept of service areas was developed in the 1970s to show which areas in the Valley would be suitable for future development; the boundaries of designated areas have not been changed significantly since they were created. This concept of service areas informed the designation of Twin Lakes as within Area II, as did many studies. (Note: This information was provided in response to a question about why the Twin Lakes parcels were designated as Area II. Pete Fogg from Boulder County also noted that land use designation of Low Density Residential (LDR) most closely matched the general trend for County zoning in that area, as the parcels are in unincorporated Boulder County.)
- The definition of “public” depends on the ownership of the land at the time
- Twin Lakes was most likely initially designated as a low-density property due to its surroundings
- The land use designation of Low Density Residential (LDR) most closely matched the general trend for County zoning in the area, as the parcels are in unincorporated Boulder County.
- Gunbarrel has been included in the city’s service area and eligible for annexation for quite a while.
- The intergovernmental agreement between the City and the County stating that growth should occur within the City of Boulder rather than in the County was initially groundbreaking in the state.
- Service areas were created so that Boulder was not doing continual annexation on the fringe of the city.
- It has been the state intent of the BVCP for decades to annex lands in the service area into the City. Boulder County no longer approves developments that are urban in nature, requirement the full range of urban services.
- The county does not do development, and there has been an intent for decades to annex areas in the service area into the City.
- It is anticipated that the recommendations for land use changes will come through later in the summer and the four bodies (City Council, City Planning Board, County Commissioners, and County Planning Commission) will review the recommended changes in the fall.
- The BVCP update process includes taking public requests for land use changes, but is also working with consultants to assess the options for growth to meet desired outcomes consistent with the policies in the Plan which will likely identify additional areas for land use changes.
- Permanently affordable housing is considered a community benefit; however, what constitutes “community” is undefined.
- Status quo is the current designation; any changes from the status quo require approval of the four bodies. The proposed land use changes will be analyzed relative the current designation.
- In general, changes must be approved by each of the four bodies; each body has veto power.
- Any proposed changes to land use designations will be analyzed relative to the current designation.
- To make a land use change: there is a template with criteria; basic analysis is done (example surveying, wetlands); information that already exists and is readily accessible is used; analysis and studies are done at a high level; and land owners must do their own due diligence.
- When any area is recommended for a change in land use designation, staff will analyze the recommendation and also consider other appropriate new land use designations. They will also look at implications of changes.

- The four bodies have asked staff to look at land use designation change requests #35 and #36 regarding Twin Lakes; staff will use their professional judgement when considering all possible land use designations.
- The concept plan step in the City Development Review Process allows for public input and helps the applicant to understand the community needs and concerns in hopes of creating a more successful application.
- City Council can call up concept plans to better understand the project; however, this does not happen often.
- The site review process is a criteria-based decision and is meant to encourage innovation.
- Staff reviews site plans and makes recommendations to the Planning Board regarding the project's future; City Council has the option to call up a project from site review, but this does not happen often.
- A site review is only completed concurrent to or after an annexation process.
- When the City chooses to annex land, the zoning designation must be consistent with the BVCP designation.
- Annexation is informed by significant policy and criteria, including a consideration for community benefit.
- The BVCP does not differentiate between community and public benefit, although community benefit is something that will be addressed during the current BVCP process.
- The BVCP addresses community benefits in regards to annexation in policy 1.24 (d), stating that, "In order to reduce the negative impacts of new development in the Boulder Valley, the city will annex Area II land with significant development or redevelopment potential only if the annexation provides a special opportunity or benefit to the city."
- The City analyzes a range of benefits when considering annexation, including affordable housing, environmental issues, and historic preservation.
- City Council makes the final decision regarding annexation.
- The final steps in the development process are mostly comprised of technical work and reviews; the Technical Document Review typically takes about two or three months.

## Questions and Answers

After listening to the Planning presentation, Group members asked City and County staff questions. Questions are indicated in italics, following by the answer.

*Is there a public process to evaluate land use designation changes proposed in the BVCP?*

The entire BVCP process is public. Staff will be creating scenarios and analyzing options for land use designation changes. So far, there have only been land use map changes proposed as part of the public request process.. Staff is looking at policy and land use map changes in the BVCP. Most land use changes require approval by all four bodies. Once a land use change is approved, it is effective immediately and is not dependent on the time required to finish the BVCP process.

*If Item 1 in the City Council motion is not intended to apply to the land use designation, what does staff use to decide what will be changed?*

Staff is working to create criteria that will be used to evaluate all land use requests. The analysis is fairly basic and assesses compatibility with the surrounding land uses. Staff also examines environmental considerations and any other information that is readily available. Staff assumes the landowner will do the necessary studies to determine whether and how their proposed development would be feasible on the site. Additional high-level studies are occasionally done on a case-by-case basis.

*When are studies completed during the phases of development?*

At the time of site review, applicants are asked to complete any studies needed to provide the necessary details to properly assess the project. This is after the land use designation has already been determined. This information is used throughout the development approval process. The level of detail provided by in-depth technical studies is not used to inform the land use designation process, but rather the site plan. City and County staff will divide initial concerns into two categories – those which will be reviewed initially at a higher level, and those which will be researched late in greater depth.

*To what extent do changed land use designations hold through the annexation process?*

Normally the land use designation would hold through the annexation process, but Council may change that policy if they feel there has been new information introduced. Further studies could whittle down density designations based on additional findings.

*How will this conversation continue to inform the development process later down the line?*

This process will not include completing more studies, but the City and County can bring in technical staff to further explain the existing information and what information would be required in the future to inform the evaluation of development applications.

*If the process goes forward and requires additional information, how does this information get back to the four deciding bodies?*

This depends on the outcome of the conversation. All meeting summaries will be public record and will be used to inform the BVCP. If the Stakeholder Group comes to an agreement, that agreement can be presented as a recommendation for staff to pass on to the deciding bodies. This process has been designed to be transparent, so all the information used to inform these discussions will also be available to the deciding bodies. In the past, staff has usually incorporated stakeholder feedback into their recommendations. The staff present at these meetings will use the provided information to inform their work. These discussions will be used to inform land use designation.

*Is there a process for individuals, groups, or the Stakeholder Group to suggest a new category of land use designations?*

This is an item that is open for discussion and is a possibility. There are a few options; including staff making the suggested changes that come from this group. There are some recommendations that may suggest a different land use designation the group is encouraged to discuss different density ranges for designations or other similar issues.

*If some of this Group's discussion is considering new designations or changes, how would that impact the timeline?*

These types of recommendations could still fit in the same timeline. Assuming that recommendations are brought to the four bodies more than once, the land use changes will more likely come earlier in the process; however, this is not a guarantee that these changes can be brought early.

*What is the proposed start date for the next phase of the BVCP process?*

Staff recommendations regarding the land use change requests will most likely happen in late summer. There will also be built-in time for public comment before the staff recommendations are presented to the four bodies.

*Is it typical for staff to make land use designation recommendations for parcels of undeveloped land based on a particular or proposed project, rather than basing the decision on the land itself and its surroundings?*

Theoretically, parcels are evaluated based on surrounding land. However, this parcel has already been designated for development. Having a specific project in mind typically makes it easier for neighbors and the community to understand what the designation or proposal may look like. Specific projects are not used in land use designation change conversations to assess the details of the project design, but rather to better understand the development's character. Often times, having this discussion with a project in mind happens long before a project is ever slated to begin construction. This helps ensure that expectations are set for future development, even if the people involved in the project change. It's difficult for people to look at a color on map and envision what development will look like. It is important to think about it in terms of what it might actually look like--not detailed project design but at level of character development. This is more easily done when there's a project on the table.

*All four governing bodies passed TLAG's request #36 for Open Space with no strings attached. We (TLAG) therefore and likewise view our request for #36 Open Space as fully on the facilitated discussion table with no strings attached.*

From the staff perspective, the request to evaluate Twin Lakes for an open space designation is on the table for the four bodies as part of their analysis. In terms of past BVCP updates, it is rare that a parcel designated for development would be given an open space designation, especially when both the City and County Open Space departments have reviewed the parcels and do not identify them as candidates for acquisition. It is possible that part of the parcel can be designated as open space. Also, there are other environmental designations to be considered for part of the parcel. Staff understood that the context of #36 moving forward was as Council member Young stated at the beginning- to explore the potential for a portion of the property to have an open space designation but the assumption is not that there would be zero units on the property.

*Staff stated Open Space cannot be created in Area II. Is the County-owned Twin Lakes Open Space located in Area II?*

Yes. Twin Lakes was part of part of Area II before it was acquired by County Parks and Open Space.

Staff also provided the following comments:

- It is not likely that the planning reserve will be opened based on land use change recommendations.
- Any land use change will be based on what type of development or use is best for each particular site rather than a tradeoff with other recommended changes.
- Sub-community planning as it relates to Gunbarrel and its future annexation will have an impact on any development at Twin Lakes.

## **Process Proposal**

As this is the first meeting of the Twin Lakes Stakeholder Group, the Group must still decide its timeline as well as the issues to be addressed. After reviewing the proposed process document, the Group discussed the meeting process and needs. Below are some comments from this discussion:

- The provided outline serves as a guideline for meetings and can be altered as needed.
- The Group is not ready to plan content for six meetings into the future.
- It is up to Group members if the Group's decision should be brought before the public for feedback.

- The Stakeholder Group can decide if they are going to ask for public feedback before finalizing recommendations based on the idea that the stakeholders in this group represent public opinion.
- Meetings must be done by early summer.
- It would be beneficial if all stakeholders understood and were on the same page regarding the previously completed technical studies and existing parameters. The City and County have some technical studies available, but there is still more information needed such as transportation needs information.
- It is useful to hear a review of the technical data, but it is also important to hear the personal perspectives so the Group can better understand the community disconnects; this process will not be a substitute for all the steps that will happen during the next phases of development.
- Lots of data has already been collected regarding development in Twin Lakes; sharing this information should be streamlined in order to prioritize meeting time.
- It is just as important to document stakeholder perspectives as it is to review the technical studies.
- The idea of sub-community planning is a much larger issue within the City and will likely not be solved in this conversation.
- Sub-community planning is not needed to determine land use on this property. Gunbarrel doesn't have much land left to develop, so it does not need a sub-community plan.
- After the Stakeholder Group has finished its discussion, there are still many necessary steps in the future that will require citizen involvement regarding building a better community with strong ties and proposing any future development in the most appropriate manner.
- BCHA is here because they are developers.
- One of BCHA's top priorities is to listen and integrate into the community.
- BCHA acknowledges that studies could take 2 years, not 2 months.

Considering the above points, the Group decided to make sure to focus on gathering and sharing necessary information as it relates to community and stakeholder perspectives as well as technical studies.

### **TLSG Protocols**

The Group discussed the protocols that will be guiding the group throughout the remainder of the meetings. Below is a summary of this discussion.

#### *Group Name*

Stakeholders were content with the name Twin Lakes Stakeholder Group (TLSG).

#### *Purpose*

Stakeholders discussed the following points as they relate to the purpose of the TLSG:

- There are differences between a community, the public, and neighborhoods; it seems as though the words are sometimes used interchangeably when really the focus should be on the neighborhood perspective and the greater good of the community.
- The Group should review technical information and shared interests between stakeholders.
- There is a difference between neighborhood and community needs.
- It would be useful to have planning staff involved in the conversations as much as possible so that the conversation will remain consistent and applicable for any future actions.
- The Group needs to consider the impacts of annexation on the rural look and feel of the affected areas, especially amenities such as wildlife corridors, parks, and open space.

The group agreed that the purpose of the TLSG is to provide recommendations to Boulder Planning, Housing, and Sustainability staff regarding land use designation and any related issues or concerns at Twin Lakes.

Participants had differing opinions on the purpose of the group. Some thought the goal was to work with neighbors to create a neighborhood/community; other envision an evaluation of both land use change proposals.

#### *Membership and Alternates*

City Council indicated which stakeholder groups should be part of the facilitated dialogue: Twin Lakes Action Group (TLAG), Boulder Valley School District (BVSD), and Boulder County Housing Authority (BCHA). The group agreed that each entity can have up to three representatives participating in the discussion. Each entity may have up to two named alternates. The permanent members are responsible for ensuring that alternates are up-to-date on all discussion points and can fully engage in the conversation.

#### *Representation*

Stakeholders will be representing their organization in all discussion unless they specifically indicate otherwise.

#### *Subcommittees*

The Group may create subcommittees if they are needed or desired. Subcommittee membership, function, public notification, and other issues will be explicitly stated if and when subcommittees are established. In any case, subcommittees will not have decision-making authority on behalf of or in lieu of the full Stakeholder Group.

#### *Decision Making*

The Stakeholder Group will strive to reach decisions by consensus with the understanding that these discussions are not binding for entire entities. Consensus decision making means that all parties can live with the proposed agreement, and leaves the option for no agreement or agreeing to disagree. If consensus cannot be reached, perspectives of those supporting or opposing a specific proposal or recommendation will be noted in the meeting summary and reported to City staff. Named stakeholders who are not able to attend a meeting are allowed to provide the facilitator with their opinion on a decision point for the Group's consideration. Preliminary agreements will be reached at an initial meeting, and the agreement will be revisited at the beginning of the next meeting to ensure each entity is able to bring it back to their constituents or employees. For any Group decision to be final, two TLAG, one BCHA, and one BVSD representative must be present. City and County staff is not bound by any of the recommendations coming out of these discussions, but will thoroughly incorporate them into any future recommendations.

#### *Agency Roles*

City and County staff will attend all meetings in an advisory role to provide necessary background information and other applicable context. They are not members of the Group.

#### *Public Meetings*

All meetings are public, but stakeholder groups will be allowed space to privately caucus. All meeting locations, agendas, and finalized summaries will be posted on a TLSG webpage on the City of Boulder website; the County will link to this website.



### *Public Participation*

Stakeholders discussed the following points regarding public participation at TLSG meetings:

- Public comment is useful but can slow down meetings.
- It is assumed that stakeholders are collecting public comment outside of the meeting in order to represent these opinions.
- Any public comment should be focused on the agenda items.
- There should be time limits for public comment.
- Public comment should be substantial and not just show of numbers.

The Group will come back to this topic at the next meeting, after TLAG has been able to discuss the varying approaches to and perspectives on public comment at meetings with its members.

### *Documentation*

Peak Facilitation will provide a detailed meeting summary of each meeting. Group members will be able to edit each meeting summary. Any substantive changes to meeting summaries must be approved by the entire group, especially if they impact outcomes. All final meeting summaries will be posted on the City website.

### *Meetings*

Taking into consideration the staff workload to prepare for these meetings, the Group will meet every other week on Wednesdays for three hours. Heather Bergman will send out a poll asking participants for the best meeting times.

### *Media Interaction*

Members may speak to the media to express their own perspectives but will not represent the opinions of the Group as a whole or of any other members. City and County staff can speak to factual information or processes, but will refrain from representing the opinions of any participants.

### *Other Interactions*

Members may speak to whoever they choose regarding this process, as long as they are expressing their own perspectives and not the opinions of the Group as a whole or of any other members.

### *Transparency*

If something noteworthy or impactful of this process occurs outside of meeting time, members should share that information with each other to foster a trusting environment. Members can share any pertinent information during meeting time or email it to the facilitator for dissemination. Requests for information from the City or County should be streamlined whenever possible.

### **Next Meeting**

The next meeting will happen on Wednesday, April 27 from 4:00 PM to 7:00 PM. City staff will work on a meeting location and this will be send out to the Group as soon as possible. During the next meeting, each stakeholder group will present a 10-minute summary of their interests. Participants should send all technical questions and needs to the facilitator so they can be addressed by staff prior to the meeting.